

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE CONTINENTAL INSURANCE  
COMPANY, a corporation,

Plaintiff,

v.

KAWASAKI KISEN KASHA, LTD. d/b/a  
“K” LINE, a foreign corporation, “K” LINE  
AMERICA, INC., a foreign corporation,  
and DOE ONE through DOE TEN,

Defendants.

No. C 07-06148 WHA


**ORDER TO SHOW CAUSE**

The hearing set for defendants’ motion to dismiss was set for today, May 8, 2008. No party appeared. An order dated April 16, 2008, had expressly denied the parties’ stipulated request to take the matter off calendar unless there was a final agreement and stipulated dismissal filed (Dkt. No. 34). No dismissal has ever been filed. The parties then filed another stipulated request for an order changing the time of the motion-to-dismiss hearing — but this request was filed at approximately 6:00 pm the day before the May 8 hearing. The Court does not grant eleventh-hour requests, and the parties should have appeared so that the progress of the case could be discussed.

1 As stated, it has been the Court's experience that settlements often crater. The hearing  
2 on defendants' motion to dismiss is re-set to **THURSDAY, MAY 22, 2008**, at **8:00 AM**. If the  
3 parties file a stipulated dismissal at least two calendar days before the hearing, they need not  
4 appear. Otherwise, they *must* appear at the hearing.

5  
6 **IT IS SO ORDERED.**

7  
8 Dated: May 8, 2008.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE